

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

JOSE M. STRAYHORN,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

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No. 1:16-CV-00019-RWS

MEMORANDUM AND ORDER

This matter is before the Court on movant's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. On February 5, 2016, the Court ordered movant to amend his handwritten motion for relief from judgment, filed pursuant to *Johnson v. United States*, 135 S.Ct. 2551 (2015), that this Court converted to its proper form, under 28 U.S.C. § 2255. However, movant has failed to comply with this Court's Order. Movant will be given thirty (30) additional days to file his motion to vacate on the Court-provided form. His failure to comply, however, will result in a dismissal of this action, without prejudice.

Movant is warned that if he wishes to retain his claims under *Johnson*, he must bring them within the confines of a § 2255 action in this Court, prior to June 26, 2016, or one year after *Johnson* was decided by the Supreme Court of the United States of America.


Accordingly,

IT IS HEREBY ORDERED that the Clerk shall mail to movant a copy of the Court's form motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255.

IT IS FURTHER ORDERED that movant shall file an amended motion no later than thirty (30) days from the date of this Order.

IT IS FURTHER ORDERED that if movant fails to comply with this Order, this action will be dismissed.

Dated this 11th day of March, 2016.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE